

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

THE WEITZ COMPANY, LLC., an)	
Iowa limited liability)	
company,)	
)	
Plaintiff,)	8:08CV199
)	
v.)	
)	
ALBERICI CONSTRUCTORS, INC.,)	ORDER
a Missouri corporation; and)	
TRAVELERS CASUALTY & SURETY)	
COMPANY OF AMERICA,)	
)	
Defendants.)	
_____)	

The Court held a conference in this matter on Friday, February 13, 2009, to clarify the contents of the Court's January 16, 2009, Memorandum and Order (Filing No. 30). As communicated to the parties during the conference, the Court did not make any factual findings in its January 16, 2009, Memorandum and Order. Instead, the Court only determined in the Memorandum and Order that Counts I, III, and IV of the plaintiff's amended complaint were sufficient to survive defendants' Rule 12(b)(6) motion to dismiss.

DATED this 17th day of February, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court